

CIVILIAN POLICE OVERSIGHT ADVISORY BOARD (CPOAB)

BOARD AGENDA

Thursday, October 9, 2025, at 5:00 PM
Vincent E. Griego Chambers

Zander Bolyanatz, Board Chair
Aaron Calderon, Board Vice-Chair
Eduardo Budanauro, Board Member
Rowan Wymark, Board Member
Diane McDermott, Executive Director, CPOA
Ali Abbasi, Deputy Director, CPOA

Viewing: Members of the public can view the meeting through GOVTV on Comcast Channel 16, stream live on the GOVTV website at <https://www.cabq.gov/culturalservices/govtv>, or watch it on YouTube at <https://www.cabq.gov/cpoa/events/civilian-police-oversight-advisory-board-meeting-10-09-2025>. The GOVTV live stream can be accessed from most smartphones, tablets, or computers at these addresses.

Public Comment: The CPOAB will accept general public comment and public comment on the meeting's specific agenda items in person and written form via email until 3:00 p.m. on the day of the meeting. Submissions for public comment can be emailed directly to the CPOAB at oab@cabq.gov.

- I. Welcome, Call to Order and Roll Call– Zander Bolyanatz, Chair**
- II. Pledge of Allegiance**
- III. Approval of the Agenda**
- IV. Review and Approval of Minutes**
 - a. September 11, 2025
- V. Reports from City Departments:**
 - a. **APD**
 1. **Internal Affairs Professional Standards (IAPS)**– *Commander Ryan Nelson*
 2. **Internal Affairs Force Division (IAFD)**– *Commander Scott Norris*
 - b. **ACS**– *Jefferey Bustamante, Deputy Director*
 - c. **City Attorney**– *Lindsey Rosebrough, Managing Attorney*
 - d. **City Council**– *Chris Sylvan, Council Services*
 - e. **Community Policing Council (CPC)**– *Kelly Mensah, Community Engagement Manager*
 - f. **Mayor's Office**– *Doug Small, Director of Public Affairs*
 - g. **CPOA**– *Ali Abbasi, Deputy Director*
- VI. Public Comment** [Public comment is limited to three minutes unless extended by the Chairperson]

VII. Appeal

a. CPC 335-24

- i. Hearing on CPC #338-24
- ii. CLOSED SESSION pursuant to Section 10-15-1(H)(3) NMSA 1978, excluding deliberations by the CPOAB in connection with an administrative adjudicatory proceeding from the requirements of the NM Open Meetings Act.

VIII. Serious Use of Force Case(s):

- a. APD Case #24-0080817 – *Rowan Wymark*
- b. APD Case #24-0085377 – *Eduardo Budanauro*
- c. APD Case #24-0087110 – *Aaron Calderon*

IX. Officer-Involved Shooting Case(s): [Standing Item]

X. In Custody Death Case:

- a. APD Case #24-0094307 – *Zander Bolyanatz*

XI. Report from CPOAB Subcommittee(s):

a. Policy and Procedure Review Subcommittee – *Aaron Calderon*

- 1. Meeting was held on October 2, 2025, at 3 p.m.
- 2. Report from Subcommittee
 - a. Request for APD Representative to attend a Policy and Procedure Subcommittee Meeting to discuss ShotSpotter Notifications Near and Around Schools
- 3. Next meeting November 6, 2025, at 3 p.m.

XII. Discussion and Possible Action:

a. APD Policy

1. Recommendations

- A. SOP 2-8 Use of On-Body Recording Devices (OBRD)
- B. SOP 2-33 Rights and Safety of OnLookers
- C. SOP 2-34 Notification of Significant Incidents

2. No Recommendation(s):

- A. SOP 1-5 Harassment or Sexual Harassment in the Workplace
- B. SOP 1-12 Volunteer and Internship Programs
- C. SOP 1-21 Bicycle Patrol
- D. SOP 1-27 Cold Case Unit
- E. SOP 1-34 Crime Prevention Unit
- F. SOP 1-35 Crime Scene Specialists Unit
- G. SOP 1-39 DWI Unit
- H. SOP 1-42 Bomb Squad
- I. SOP 1-57 Identification Disposition
- J. SOP 1-58 Crime Gun Intelligence Center (CGIC)
- K. SOP 1-81 Proactive Response Unit (CPU)
- L. SOP 2-40 Misdemeanor, Traffic, and Parking Enforcement
- M. SOP 2-50 Crash Review Board
- N. SOP 2-81 Off-Duty Conduct Power of Arrest
- O. SOP 2-112 Violence Intervention Program

- P. SOP 3-8 Data Governance Program
- Q. SOP 3-29 Issuance and Usage of Area Command Equipment
- R. SOP 3-42 Criminal Investigation of Department Personnel

3. APD Response to Policy Recommendation(s):

- A. SOP 2-47 Crashes Involving Department-Issued Vehicles and SOP 2-46 Response to Traffic Crashes

XIII. Other Business

XIV. Adjournment- *The next regularly scheduled Board meeting will be held on Thursday, November 13, 2025.*

ATTENTION: Unless the board decides otherwise, a dinner break will occur at a natural breaking point during the meeting.

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Office of the Civilian Police Oversight Agency at 505-924-3770 or cpoa@cabq.gov at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats.

CITY OF ALBUQUERQUE



CIVILIAN POLICE OVERSIGHT ADVISORY BOARD

Zander Bolyanatz, Chair
Aaron Calderon, Vice-Chair
Eduardo Budanauro
Rowan Wymark
Diane McDermott, Executive Director
Ali Abbasi, Deputy Director

October 22, 2025

Via Email

Re: Notice of Appeal Decision for CPC # 335-24

PO Box 1293 **APPEAL FINDINGS:**

Mr. [redacted] and Ms. [redacted] G [redacted] an appeal hearing was scheduled on October 9, 2025 at 5 p.m., in response to your appeal request submitted on August 11, 2025. To ensure thorough preparation for the hearing, you were notified on August 12, 2025 that your hearing was scheduled during the October 9, 2025 board meeting.

We appreciate your diligence in bringing your concerns to the attention of the CPOA and CPOAB. Through investigations and appeals initiated by Albuquerque citizens and visitors, valuable information is gathered to potentially inform policy recommendations to the chief of police, the mayor's office, and the city council when deemed appropriate.

www.cabq.gov In line with our procedures, any revision of findings must meet at least one of the three specified criteria detailed in the original documentation of your findings. Upon careful consideration, the information presented during your hearing did not meet the threshold for us to proceed with any adjustments to the CPOA Executive Directors' findings as outlined on page 3.

Therefore, we uphold, confirm, and stand by the findings of the CPOA Executive Director.

MATERIALS REVIEWED BY THE BOARD:

Video(s): N/A

APD Report(s): N/A

CAD Report(s): N/A

Complainant Appeared: Yes

Witness(es) Appeared: Yes

APD Employee Appeared: No

APD Employee Involved: Officer R.

Date Hearing Completed: October 9, 2025

APPEAL FINDINGS

Policy Upheld: 1.1.5.E.8.a, Department Issued Phone; 2.9.5.B.3.a, CJIS for Personal Use

1. Unfounded. Investigation classification when the investigator(s) determines, by clear and convincing evidence, that alleged misconduct did not occur or did not involve the subject officer.

2. Sustained. Investigation classification when the investigator(s) determines, by a preponderance of the evidence, the alleged misconduct did occur by the subject officer.

3. Not Sustained. Investigation classification when the investigator(s) is unable to determine one way or the other, by a preponderance of the evidence, whether the alleged misconduct either occurred or did not occur.

4. Exonerated. Investigation classification where the investigator(s) determines, by a preponderance of the evidence, that alleged conduct in the underlying complaint did occur but did not violate APD policies, procedures, or training.

5. Sustained Violation Not Based on Original Complaint. Investigation classification where the investigator(s) determines, by a preponderance of the evidence, misconduct did occur that was not alleged in the original complaint (whether CPC or internal complaint) but that other misconduct was discovered during the investigation, and by a preponderance of the evidence, that misconduct did occur.

6. Administratively Closed. Investigation classification where the investigator determines: The policy violations of a minor nature and do not constitute a pattern of misconduct (i.e. a violation subject to a class 7 sanction, -the allegations are duplicative; -the allegations, even if true, do not constitute misconduct; or -the investigation cannot be conducted because of the lack of information in the complaint, and further investigation would be futile.

Additional Comments:

We uphold, confirm, and stand by the findings of the CPOA Executive Director.

You have exercised your right to appeal this decision as specified in the Oversight Ordinance 9-4-1-10. As was explained in the hearing proceedings in order for the Advisory Board to modify the Director's findings your appeal must demonstrate one or more of the following:

- 1) A policy was misapplied in the evaluation of the complaint;
- 2) That the findings or recommendations were arbitrary, capricious or constituted an abuse of discretion; or
- 3) that the findings and recommendations were not consistent with the record evidence.

The Advisory Board has considered the statements provided by you, the complainant, any witnesses you may have provided, any evidence if deemed admissible, the Agency's position, the Albuquerque Police Department's position and the officer's position if the officer chose to appear.

The Advisory Board may only modify or change the findings and/or recommendations and make further recommendations if one of the above listed conditions was met. The details of the findings are on the second page of this communication.

Thank you for participating in the process of the Civilian Oversight of the Police, ensuring officers and personnel of the APD are held accountable, and improving the process.

Sincerely,
The Civilian Police Oversight Advisory Board by



Zander Bolyanatz, Chair
(505) 924-3770

cc: Civilian Police Oversight Agency
Office of Police Reform